

## Lake Park

### MINUTES

#### VILLAGE OF LAKE PARK COUNCIL MEETING

3801 LAKE PARK ROAD, LAKE PARK, NC

#### REGULAR SESSION –IMMEDIATELY FOLLOWING THE PUBLIC HEARING FOR THE HISTORICALLY UNDERUTILIZED BUSINESSES.

APRIL 14, 2009

**CALL TO ORDER:** Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

**APPROVAL OF MINUTES:** Jo Waybright made the motion to approve the March 10, 2009 Regular Session minutes as presented. Virginia Currence seconded the motion. Vote – Unanimous

**PUBLIC COMMENT:** For anyone signed up to speak about anything other than citations which will be during the security report. Bill Parker passed on speaking.

**CHANGES TO THE AGENDA:** Add the following:

- 4A. Carolina Thread Trail
- 4B. Common Area Planning Task Force
- 5A. Citations
- 6A. Minority Business Outreach Plan
- 6B. Disposing of Personal Property
- 10A. Carolina Thread Trail discussion
- 10B. Resolution Clean Water for stimulus money

Clint Newton made the motion to accept the agenda as amended. Greg Crosby seconded the motion. Vote – Unanimous.

**Carolina Thread Trail:** Travis Morehead discussed the regional greenway and trail system that will encompass eleven North Carolina counties and four South Carolina counties. The regional network of trails and greenways will provide walking, biking and commuting. The project will impact an estimated 2.3 million people. Union County is in the outreach phase. Under the outreach phase the following occurs:

1. Raise awareness
2. Steering committee development
3. Presentations to civic groups

Carolina Thread Trail's role is to establish vision – connectivity, provide catalytic funding - \$60,000 to

help adopt the plan and provide the technical support to local trail practitioners.

**Common Area Planning Task Force:** Virginia Currence thanked the Common Area Planning Task Force (Norm Adams, John Barnes, David Cleveland, Jeanine Dovell, David Grant and Kimberly Stoll) for their dedication and hard work over the last seven months. The recommendations are based upon needs the task force and experts addressed in the sixty-five and a half acres of municipal owned property. In phase two, based upon the recommendations of the task force, decisions on how to implement the recommendations will need to be determined. The working papers will be stored in the municipal office for future reference.

Copies of the report were distributed to Council for review and copies are available at the Clerk's office.

Mayor Kendall Spence thanked the Task Force for all of their hard work and commitment to the project.

#### **SECURITY: Public Comment on Citations**

*Carol Blackwood* – left

*Aleksandr Sakhanskiy* – visiting father received a citation for fishing but he has a state fishing license. Mr. Sakhanskiy has since purchased a fishing permit. Deputy Haywood suggested that an article in the newsletter discussing the two types of permits – state license and VOLP permit. Deputy Haywood also suggests we consider waiving the fine if they buy a permit within X number of days.

*Angie Figiel* – received a parking citation on April 4<sup>th</sup> for parking on the grass between the sidewalk and the road on Ginger Lane. The ticket was during her daughter's birthday so that the children would be able to ride their bikes in the driveway. Due to the quadriplegic neighbor across the street she is not comfortable parking the street in case there is a need for emergency vehicles. Mrs. Figiel is requesting a waiver and it will never happen again.

*Kimberly Stoll* – received a parking citation in front of the townhomes on Creft Circle. She sent Council a letter via e-mail and a picture of the parked vehicle wanting to know why she received the citation since she was not obstructing traffic. She and two other neighbors have received a citation for parking in this area. Deputy Haywood agreed with Ms. Stoll and apologized for the misunderstanding. We do not know why those two spaces are not lined. Council will have the two spaces marked for parking the next time any marking is done in the village. Virginia Currence made the motion to void Welch, Wilson and Stoll's parking citation for obstructing traffic in the unmarked space. Sandy Coughlin seconded the motion. Vote – Unanimous.

Deputy Haywood reported that there were 217 calls in the month of March. Alarm calls, improperly parked cars and traffic stops were 33% of the calls. We started with ordinance warnings for violations and have moved to issuing citations.

Clint Newton discussed the difficulty of changing parking habits if you have been parking the same way for a number of years and all of a sudden you find out that you are in violation of the parking ordinance. Council needs to do a better job communicating to the residents.

Jo Waybright expressed her frustration with uninformed residents. We have run articles for months concerning the ordinances. She suggested that we run another article in the newsletter concerning the parking ordinance and specifically address the highlights such as no parking within 30 feet of the intersection or a stop sign and no parking in circular portion of any cul-de-sac.

Deputy Haywood suggested digital cameras for the deputies. Council agreed and requested Cheri Clark to purchase two cameras. Joe Clough is the new deputy in the VOLP and has served with the Sheriff's department for nine years as a school resource officer, patrol and at the courthouse. Unless there is training, the VOLP will have a Lake Park officer each day.

Clint Newton made the motion to waive Angie Fegiel's citation. Virginia Currence seconded the motion. Under discussion, Sandy Coughlin stated that none of the violations are done in malice but that we need to uphold the letter of the law. Greg Crosby stated he was in a quandary because in all fairness we can't do for one and not do for all. Vote was 2 to 3 with Virginia Currence and Clint Newton voting yes to waive the ticket and Greg Crosby, Jo Waybright and Sandy Coughlin voting no. The motion did not carry.

Council did request that Parks and Recreation look at a grace period for fishing violations if the permit was purchased within a certain number of business days.

**FINANCE OFFICER'S MONTHLY REPORT:** Cheryl Bennett presented the budget for Council review.

	<u>Mar 09</u>	<u>Jul '08 - Mar 09</u>	<u>Budget</u>	% of Budget
<b>General Fund</b>				
<b>Revenues</b>				
<b>Other revenues</b>				
<b>Payment Kirby park sidewalk</b>	0.00	16,314.95	4,500.00	362.55%
<b>Approp. Fund Balance</b>	0.00	0.00	52,122.00	0.0%
<b>National Night Out</b>	0.00	320.00	4,890.00	6.54%
<b>Civil Penalties</b>	150.00	200.00	200.00	100.0%
<b>Investment revenue</b>	165.27	6,969.53	21,000.00	33.19%
<b>Miscellaneous</b>	<u>561.35</u>	<u>1,715.35</u>	<u>600.00</u>	285.89%

<b>Total Other revenues</b>	876.62	25,519.83	83,312.00	30.63%
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**Other Taxes**

<b>Cable franchise-from Time Warne</b>	<u>0.00</u>	<u>1,570.00</u>	<u>2,800.00</u>	56.07%
<b>Total Other Taxes</b>	0.00	1,570.00	2,800.00	56.07%

**Parks & Recreation Revenue**

<b>Recreation Program Fees</b>	36.00	1,034.70	200.00	517.35%
<b>Community Center rental</b>	360.00	2,295.00	2,800.00	81.96%
<b>Gazebo rental</b>	0.00	60.00	400.00	15.0%
<b>Recreation concession sales</b>	0.00	0.00	800.00	0.0%
<b>Recreation daily swim fees</b>	0.00	3,571.84	6,200.00	57.61%
<b>Recreation season pass fees</b>	<u>660.00</u>	<u>2,687.00</u>	<u>50,000.00</u>	5.37%
<b>Total Parks &amp; Recreation Revenue</b>	1,056.00	9,648.54	60,400.00	15.97%

**Property Taxes**

<b>Ad valorem current year</b>	2,418.88	474,175.78	477,784.00	99.25%
<b>Ad valorem prior years</b>	481.14	8,738.21	4,200.00	208.05%
<b>Late fees (ad)</b>	0.00	102.49	92.00	111.4%
<b>Motor vehicle tax</b>	3,293.50	33,029.27	51,010.00	64.75%
<b>Penalties and interest</b>	216.18	1,916.57	1,250.00	153.33%
<b>Utility ad valorem</b>	<u>0.00</u>	<u>6,519.98</u>	<u>7,000.00</u>	93.14%
<b>Total Property Taxes</b>	6,409.70	524,482.30	541,336.00	96.89%

**State Shared Revenues**

<b>Solid Waste Disposal Tax</b>	0.00	455.69	0.00	
<b>Telecom. Franchise</b>	685.00	956.00	600.00	159.33%

Piped Gas	3,408.00	3,945.00	1,400.00	281.79%
Elec. franchise tax	12,647.51	30,977.59	70,000.00	44.25%
Cable Rev. (from State)	5,797.85	11,653.45	18,000.00	64.74%
Sales and use tax	15,839.01	79,157.05	190,000.00	41.66%
Utility franchise	0.00	0.00	0.00	0.0%
<b>Total State Shared Revenues</b>	<u>38,377.37</u>	<u>127,144.78</u>	<u>280,000.00</u>	45.41%
<b>Total Revenues</b>	46,719.69	688,365.45	967,848.00	71.12%
<b>Expense</b>				
<b>Capital Outlay</b>				
Community Center Addition	0.00	2,500.00	4,500.00	55.56%
Capital Outlay Exp.	0.00	1,100.00	10,000.00	11.0%
Reserve for Capital Replacement	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	0.0%
<b>Total Capital Outlay</b>	0.00	3,600.00	24,500.00	14.69%
<b>General Administrative Expenses</b>				
Adm Assistant	0.00	144.00	600.00	24.0%
Clerk/Tax Collector	3,565.42	32,088.78	42,785.00	75.0%
Council	2,750.00	8,250.00	11,000.00	75.0%
Finance Officer	855.83	7,702.47	10,270.00	75.0%
Mayor	750.00	2,250.00	3,000.00	75.0%
Payroll Expenses	<u>606.01</u>	<u>3,858.30</u>	<u>5,400.00</u>	71.45%
<b>Total General Administrative Expenses</b>	8,527.26	54,293.55	73,055.00	74.32%
<b>Maintenance of Common Areas</b>				
Landscaping	10,800.00	111,024.00	165,000.00	67.29%
Park maintenance	111.95	14,069.29	33,000.00	42.63%

<b>Pond maintenance</b>	<u>0.00</u>	<u>8,340.00</u>	<u>10,000.00</u>	83.4%
<b>Total Maintenance of Common Areas</b>	10,911.95	133,433.29	208,000.00	64.15%
<b>Operating Costs</b>				
<b>Advertising</b>	0.00	40.42	400.00	10.11%
<b>Association dues</b>	0.00	2,880.00	2,880.00	100.0%
<b>Bank charges</b>	0.00	0.00	20.00	0.0%
<b>Elections</b>	0.00	560.25	800.00	70.03%
<b>Insurance/bonds</b>	0.00	8,683.08	9,800.00	88.6%
<b>Miscellaneous oper. exp.</b>	0.00	80.96	630.00	12.85%
<b>Newsletter/website/flyers</b>	498.23	1,693.43	2,700.00	62.72%
<b>Office</b>	65.81	1,435.11	7,100.00	20.21%
<b>Postage</b>	65.69	343.92	400.00	85.98%
<b>Tax collection</b>	0.00	1,265.88	1,270.00	99.68%
<b>Telephone</b>	218.00	2,048.93	2,900.00	70.65%
<b>Training</b>	0.00	150.00	700.00	21.43%
<b>Travel</b>	<u>0.00</u>	<u>23.24</u>	<u>500.00</u>	4.65%
<b>Total Operating Costs</b>	847.73	19,205.22	30,100.00	63.81%
<b>Other Expenditures</b>				
<b>Economic Development</b>	0.00	691.27	2,500.00	27.65%
<b>Contingency</b>	0.00	0.00	8,000.00	0.0%
<b>Stormwater Fee</b>	<u>1,330.00</u>	<u>3,320.00</u>	<u>12,000.00</u>	27.67%
<b>Total Other Expenditures</b>	1,330.00	4,011.27	22,500.00	17.83%
<b>Parks &amp; Recreation</b>				
<b>Pool Operations</b>	0.00	160.99	1,000.00	16.1%

Comm. center maintenance	9.44	4,475.70	8,919.00	50.18%
Seasonal Decorations	0.00	12,487.42	12,500.00	99.9%
Natural Gas	166.08	819.78	1,200.00	68.32%
Pool maintenance	0.00	5,511.99	21,500.00	25.64%
Pool management fee	0.00	19,286.50	46,880.00	41.14%
Events/Recreation programs	0.00	1,648.89	2,300.00	71.69%
Storage Rental	0.00	1,193.40	1,194.00	99.95%
Water/Sewer	<u>56.27</u>	<u>1,412.58</u>	<u>3,000.00</u>	47.09%
Total Parks & Recreation	231.79	46,997.25	98,493.00	47.72%
Professional Fees				
Engineering Fees	0.00	0.00	2,500.00	0.0%
Accountant	0.00	4,100.00	4,200.00	97.62%
Legal Counsel	<u>0.00</u>	<u>7,124.94</u>	<u>10,000.00</u>	71.25%
Total Professional Fees	0.00	11,224.94	16,700.00	67.22%
Public Services/Safety				
Street Signs	0.00	1,680.00	3,500.00	48.0%
National Night Out	0.00	1,485.88	7,000.00	21.23%
Community Watch	0.00	0.00	1,000.00	0.0%
Garbage collection	21,241.10	169,284.96	257,000.00	65.87%
Law enforcement	33,179.50	132,718.00	133,000.00	99.79%
Street Lights	7,227.29	71,866.04	93,000.00	77.28%
Total Public Services/Safety	<u>61,647.89</u>	<u>377,034.88</u>	<u>494,500.00</u>	76.25%
Total Expense	<u>83,496.62</u>	<u>649,800.40</u>	<u>967,848.00</u>	67.14%
Net General Fund	-36,776.93	38,565.05	0.00	100.0%

**Powell Bill****Other Income**

<b>Fund Bal. from Powell Bill</b>	0.00	0.00	112,624.00	0.0%
<b>Interest - Powell Funds</b>	24.41	452.73	400.00	113.18%
<b>Powell Bill Revenue</b>	<u>0.00</u>	<u>96,089.45</u>	<u>96,089.00</u>	100.0%
<b>Powell Bill Revenue</b>	24.41	96,542.18	209,113.00	46.17%
<b>Powell Bill Expense</b>				
<b>Street Exp. - Powell Bill</b>	110.00	93,819.97	209,113.00	44.87%
<b>Powell Bill Expense</b>	<u>110.00</u>	<u>93,819.97</u>	<u>209,113.00</u>	44.87%
<b>Net Powell Bill</b>	<u>-85.59</u>	<u>2,722.21</u>	<u>0.00</u>	100.0%
<b>Net Revenues over Expense</b>	<u><u>-36,862.52</u></u>	<u><u>41,287.26</u></u>	<u><u>0.00</u></u>	<b>100.0%</b>

Per Council request in March, Cheryl Bennett presented a budget amendment.

Budget Ordinance Amendment 2008/09 #\_2\_

BE IT ORDAINED by the Governing Board of the Village of Lake Park, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

Decrease                      Increase

Revenues:Other Revenues:

Approp. Fund Balance		\$50,000
Misc. Revenue		\$ 561

Parks and Recreation

Pond Maintenance		\$ 1,000
Park Maintenance	\$ 1,000	\$ 561

Capital Outlay:

Pond Renovations		\$50,000
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Powell Bill Revenues:

Powell Bill Revenue \$ 100,500

Powell Bill Expense:

Street Exp. – Powell Bill \$100,500.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget/Finance Officer for their direction.

Adopted this \_14th\_ day of \_\_\_April\_\_\_ 2009.

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Cheri Clark, Clerk

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Kendall Spence, Mayor

Sandy Coughlin made the motion to accept the Budget Ordinance Amendment 2008/09 #2. Greg Crosby seconded the motion. Vote – Unanimous.

Cheryl Bennett discussed the fund balance and the fact that the available Fund Balance is not \$916,199 because Powell bill funds are a part of the balance and that money from the Fund Balance had been appropriated this year. A proposed budget was presented for review prior to the Budget Workshop on April 28<sup>th</sup>.

**Current Year**

	<u>Jul '08 - March 09</u>	<u>Budget</u>
<b>General Fund</b>		
<b>Revenues</b>		
<b>Other revenues</b>		
<b>Approp. Fund Balance</b>	0.00	52,122
<b>Payment Kirby Prk Sidewalk</b>	16,314.95	4,500
<b>National Night Out</b>	320.00	4,890

Civil Penalties	200.00	200
Investment revenue	6,969.53	21,000
Miscellaneous	1,715.35	600
Cable franchise-from Time Warner	1,570.00	2,800
<b>Total Other revenues</b>	<b>27,089.83</b>	<b>86,112</b>
 <b>Stormwater Fee</b>	 0.00	 0
 <b>Parks &amp; Recreation Revenue</b>		
Recreation Program Fees	1,034.70	200
Community Center rental	2,295.00	2,800
Gazebo rental	60.00	400
Recreation Concession Sales	0.00	800
Recreation daily swim fees	3,571.84	6,200
Recreation season pass fees	2,687.00	50,000
<b>Total Parks &amp; Recreation Revenue</b>	<b>9,648.54</b>	<b>60,400</b>
 <b>Property Taxes</b>		
Ad valorem current year	474,175.78	477,784
Ad valorem prior years	8,738.21	4,200
Late fees (ad)	102.49	92
Motor vehicle tax	33,029.27	51,010
Penalties and interest	1,916.57	1,250
Utility ad valorem	6,519.98	7,000
<b>Total Property Taxes</b>	<b>524,482.30</b>	<b>541,336</b>

**State Shared Revenues**

Solid Waste Disposal Tax	455.69	0
Telecom. Franchise	956.00	600
Piped Gas	3,945.00	1,400
Electric Franchise Tax	30,977.59	70,000
Cable Rev. (from State)	11,653.45	18,000
Sales and use tax	79,157.05	190,000

**Total State Shared Revenues**

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127,144.78	280,000
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**Total Revenues**

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688,365.45	967,848
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**Expense****Capital Outlay**

Com. Center Addition	2,500.00	4,500
Capital Outlay Exp.	1,100.00	10,000
Reserve for Capital Replacement	0.00	10,000

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**Total Capital Outlay**

3,600.00	24,500
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**General Administrative Expenses**

Adm Assistant	144.00	600
Clerk/Tax Collector	32,088.78	42,785
Council	8,250.00	11,000
Finance Officer	7,702.47	10,270
Mayor	2,250.00	3,000
Payroll Expenses	3,858.30	5,400

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**Total General Administrative Expenses**

54,293.55	73,055
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**Maintenance of Common Areas**

Landscaping	111,024.00	165,000	165
Park maintenance	14,069.29	33,000	29
Pond maintenance	8,340.00	10,000	10
<b>Total Maintenance of Common Areas</b>	<b>133,433.29</b>	<b>208,000</b>	<b>204</b>
<b>Operating Costs</b>			
Advertising	40.42	400	
Association dues	2,880.00	2,880	3
Bank charges	0.00	20	
Elections	560.25	800	3
Insurance/bonds	8,683.08	9,800	9
Miscellaneous oper. exp.	80.96	630	
Newsletter/website/flyers	1,693.43	2,700	2
Office	1,435.11	7,100	3
Postage	343.92	400	
Tax collection	1,265.88	1,270	1
Telephone	2,048.93	2,900	2
Training	150.00	700	1
Travel	23.24	500	
<b>Total Operating Costs</b>	<b>19,205.22</b>	<b>30,100</b>	<b>30</b>
<b>Other Expenditures</b>			
Economic Development	691.27	2,500	2
Contingency	0.00	8,000	20
<b>Total Other Expenditures</b>	<b>691.27</b>	<b>10,500</b>	<b>22</b>

<b>Stormwater</b>	3,320.00	12,000	38
<b>Parks &amp; Recreation</b>			
<b>Pool Operations</b>	160.99	1,000	1
<b>Comm. center maintenance</b>	4,475.70	8,919	8
<b>Seasonal Decorations</b>	12,487.42	12,500	10
<b>Natural Gas</b>	819.78	1,200	1
<b>Pool maintenance</b>	5,511.99	21,500	9
<b>Pool management fee</b>	19,286.50	46,880	46
<b>Recreation programs</b>	1,648.89	2,300	1
<b>Storage Rental</b>	1,193.40	1,194	1
<b>Water/Sewer</b>	1,412.58	3,000	2
<b>Total Parks &amp; Recreation</b>	46,997.25	98,493	83
<b>Professional Fees</b>			
<b>Accountant</b>	4,100.00	4,200	4
<b>Legal Counsel</b>	7,124.94	10,000	10
<b>Engineering Fees</b>	0.00	2,500	
<b>Total Professional Fees</b>	11,224.94	16,700	14
<b>Public Services/Safety</b>			
<b>Street Signs</b>	1,680.00	3,500	2
<b>National Night Out</b>	1,485.88	7,000	
<b>Community Watch</b>	0.00	1,000	
<b>Garbage collection</b>	169,284.96	257,000	273
<b>Law enforcement</b>	132,718.00	133,000	150
<b>Street Lights</b>	71,866.04	93,000	97

<b>Total Public Services/Safety</b>		377,035	494,500	522
<b>Total Expense</b>		649,800.40	967,848	1,009
<b>Net General Fund</b>		38,565.05	0	
<b>Powell Bill Revenues</b>				
<b>Fund Bal. from Powell Bill</b>		0.00	112,624	
<b>Interest - Powell Funds</b>		452.73	400	
<b>Powell Bill Revenue</b>		96,089.45	96,089	85
<b>Total</b>		96,542.18	209,113	85
<b>Powell Bill Expense</b>				
<b>Street Exp. - Powell Bill</b>		93,819.97	209,113	85
<b>Total Powell Bill</b>		93,819.97	209,113	85
<b>Net Powell Bill</b>		<b>\$2,722.21</b>	<b>\$0</b>	

Tax rate	<b>0.2100</b>	<b>0.2200</b>	<b>0.2300</b>
Prop value	\$231,231,677	\$231,231,677	\$231,231,677
98%	\$475,875	\$498,535	\$521,196
Motor Veh.	\$25,128,117	\$25,128,117	\$25,128,117
92%	\$48,548	\$50,859	\$53,171
	\$524,422	\$549,395	\$574,367

One cent =\$24,972

Tax Rate:	0.2300
Total Property Value:	231231677
Total Ad valorem (98% Collection):	521196.2
Motor Vehicle Value:	25128117
Total Motor Vehicle Tax (92% Collection)	53171.09557

**MINORITY BUSINESS OUTREACH PLAN:** Sandy Coughlin made the motion to accept the Historically Underutilized Businesses resolution. Virginia Currence seconded the motion. Vote – Unanimous.

RESOLUTION ESTABLISHING A VERIFIABLE PERCENTAGE GOAL FOR PARTICIPATION OF  
A **“MINORITY BUSINESS OUTREACH PLAN”**

**WHEREAS**, the North Carolina General Assembly enacted Chapter 480 and Section 74.17 of Chapter 770 of the 1989 Session Laws, thereby rewriting NCGS 143-128; and

**WHEREAS**, GS 143-128.2 shall report to the Department of Administration, Office of Historically Underutilized Business, the following with respect to each building project:

- (1) The verifiable percentage goal.
- (2) The type and total dollar value of the project, minority business utilization by minority business category, trade, total dollar value of contracts awarded to each minority group for each project, the applicable good faith effort guidelines or rules used to recruit minority business participation, and good faith documentation accepted by the public entity from the successful bidder.
- (3) The utilization of minority businesses under the various construction methods under GS 143-128(a1).

**WHEREAS**, each public entity which places a public construction project out

for bid and which is subject to GS 143-128.2 shall require bidders to undertake good faith efforts to recruit minority business participation in the project. Bidders must earn at least 50 points from the good faith efforts listed in Rule .0102, or comply with the requirements of GS 143-128.2 (c)(1)(a), in order for their bids to be considered responsive, Notwithstanding this Rule, the public entity may require that additional good faith efforts be taken, as indicated in its bid specifications; and

**NOW THEREFORE, BE IT RESOLVED**, that the Village of Lake Park shall have a verifiable goal of ten percent (10%) for participation by minority businesses in public buildings construction contracts awarded pursuant to GS 143-128.

*History Note: Authority GS 143-128.2(f), SL 2001-496, s. 3.1, 14 (b).*

Adopted at the \_\_\_\_\_ Council meeting.

**ATTEST:**

\_\_\_\_\_  
Kendall Spence, Mayor

\_\_\_\_\_  
Cheri Clark, Clerk/Tax Collector

**DISPOSING OF PERSONAL PROPERTY:** In order for the village to dispose of village personal property such as a fax machine, copier, computer tower, etc an ordinance must be adopted.

**VILLAGE OF LAKE PARK**

**ORDINANCE 2009-03**

**AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL  
PROPERTY VALUED AT LESS THAN \$30,000**

BE IT ORDAINED by the Council of the Village of Lake Park:

Section 1. The \_\_\_\_\_ is hereby authorized to dispose of any surplus personal property owned by the Village of Lake Park, whenever he or she determines, in his or her discretion, that:

- (a) The item or group of items has a fair market value of less than thirty thousand dollars (\$30,000);
- (b) The property is no longer necessary for the conduct of public business; and,
- (c) Sound property management principles and financial considerations indicate that the interests of



the Village of Lake Park would best be served by disposing of the property.

Section 2. The \_\_\_\_\_ may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in N.C. G.S. Chapter 160A-266(c). Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Village of Lake Park if greater value may be obtained in that manner, and the \_\_\_\_\_ is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the \_\_\_\_\_ may retain the property, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No surplus property may be donated to any individual or organization except by resolution of the Council of the Village of Lake Park.

Section 4. The \_\_\_\_\_ shall keep a record of all property sold under authority of this Ordinance and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This ordinance is enacted pursuant to the provisions of N.C. G. S. 160A-266(c).

Section 6. This ordinance shall become effective upon adoption.

Adopted this 14th day of April, 2009.

\_\_\_\_\_  
Mayor Kendall Spence

ATTEST:

\_\_\_\_\_  
Village Clerk Cheri Clark

Approved as to Form:

\_\_\_\_\_  
Town Attorney Kenneth Swain

After discussion, Clint Newton made the motion to amend the ordinance by authorizing the Village Clerk to dispose of the personal property. Greg Crosby seconded the motion. Vote – Unanimous.

**TAX OFFICER'S REPORT:** Ninety nine percent of the tax ad valorem has been collected.

**Public services (Waste Collection & Electric):** Sandy Coughlin stated that she has sent Cheryl Bennett the waste collection increase for 2009 – 2010 for Action Garbage.

Clint Newton reported that power usage continues to decline however cost continues to rise.

**COMMUNICATION:** Greg Crosby asked that all articles for the next Villager be submitted by April 17<sup>th</sup>. Articles for the April newsletter will include topics such as: fishing permits, parking ordinance, stormwater, pool and public hearings.

Greg Crosby has also posted on the website the 2008 Parks and Recreation minutes and the current Council minutes. Parks and Rec requested that the 2009 Pool Membership information and members of the commission be posted on the website.

Mayor Kendall Spence thanked Greg Crosby for all of his time and work on the newsletter each month and the website.

**PARK AND RECREATION:** Virginia Currence stated that we have had the graffiti removed at the fishing pier. The new daycare is not planning to landscape behind the fenced playgrounds which creates concerns for the aesthetics of the front entrance. David's Renovations is going to repair several park benches in the village.

There is a small leak behind Connie's Pond that supposedly Lucas Landscaping repaired that has now become quite severe. Lucas Landscaping is going to repair the leak at no charge to the village. Virginia Currence made the motion for Council to approve an additional \$1000 for Eagle Engineering to draw plans and be on-site for the erosion repairs to Lake Charles. Clint Newton seconded the motion. Under discussion Sandy Coughlin asked if someone could provide a better price for the requested work. After checking with our Stormwater Administrator, who works with several local engineering firms, he felt that we were receiving a very fair price.

Virginia Currence and Cheri Clark are meeting with Foster Lake and Pond Management to discuss the best way to handle the aquatic vegetation in the ponds. We have already paid Lucas Landscaping \$375 to treat the vegetation but they do not have the expertise or equipment that a pond management company has. In riding with Lucas Landscaping last week, we are going to have a tree removed on the Logan Pond and would like for Parks and Rec to consider reducing the number of annuals for this season. Virginia Currence made the motion to approve paying Lucas Landscaping \$1,371.50 for pine needles. Sandy Coughlin seconded the motion. Vote – Unanimous.

At the corner of Alden and Conifer, on the Alden cul-de-sac end, all of the Lelands are dying. One Leland recently split and fell into the road. It is going to cost in the neighborhood of \$225 per tree - \$2000 to remove the Lelands. Virginia Currence made the motion to spend up to \$2,000 to remove

the Lelands at Alden and Conifer. Jo Waybright seconded the motion. Vote – Unanimous.

Jo Waybright asked Council to review to Parks and Recreation Guidelines and defer discussion of the guidelines until the May Council meeting. The pool repairs are underway and everything should be ready for the 2009 season. Jo Waybright made the motion to approve \$1100 for health permits for the season. Clint Newton seconded the motion. Vote – Unanimous.

The Goose Control Program is underway in Lake Park and over 50 fifty eggs have been addled.

**CAROLINA THREAD TRAIL:** Sandy Coughlin made the motion to accept the Carolina Thread Trail Resolution of Support. Clint Newton seconded the motion. Vote – Unanimous.

### **RESOLUTION OF SUPPORT**

Whereas the Village of Lake Park is committed to maintaining and enhancing quality of life for its citizens and recognizes that the Carolina Thread Trail will contribute to quality of life by weaving together communities via a regional network of trails and greenways eventually connecting fifteen counties and millions of citizens; and

Whereas, many communities in our region have taken a lead in planning and/or building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

Whereas, trails and their green buffer areas will help improve the quality of the air we breathe by preserving trees and vegetation and by promoting non-motorized transportation, and will enhance the quality of our water through natural buffers and mitigation of storm water run-off; and

Whereas, trails and greenways provide key amenities to neighborhoods and safe areas for our citizens and children to travel, exercise, play and connect with nature away from heavily trafficked areas; and

Whereas, trails have significant impact on the economic viability of the region through increased levels of tourism, enhanced property values, added jobs related to the construction of and along the trail, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life;

and

Whereas, trails and greenways are freely accessible community assets offering opportunities for recreation and exercise to everyone, including children, youth and families, and provide safe places for people to experience a sense of community and create stronger social and family ties; and

Whereas, there is no second chance to protect the Carolinas' great resources in this unique way for our children, grandchildren and great grandchildren, and the cost of these invaluable resources will only increase in the future; and

Whereas, private funding is available to communities from the Carolina Thread Trail for planning and construction of regional trails, and this private funding will leverage public funding from federal, state and various sources.

Now, Therefore, Be It Resolved that the Village of Lake Park supports the Carolina Thread Trail and is committed in concept to working with neighboring communities and with the Carolina Thread Trail to plan, design and build a system of trails that will connect our communities, people and special regional points of interest for years to come.

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Name and Title

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Date

**RESOLUTION FOR CLEAN WATER FOR STIMULUS MONEY:** Virginia Currence made the motion to accept the Resolution for Clean Water. Clint Newton seconded the motion. Vote – Unanimous.

#### RESOLUTION BY THE VILLAGE OF LAKE PARK

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of a stormwater system, and

WHEREAS, The Village of Lake Park has need for and intends to construct a stormwater system project described as Stormwater Pond Shoreline Stabilization and

WHEREAS, The Village of Lake Park intends to request state loan assistance for the project, as authorized by the American Recovery and Reinvestment Act of 2009

**NOW THEREFORE BE IT RESOLVED, BY THE VILLAGE OF LAKE PARK :**

That the **Village of Lake Park**, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the **Village of Lake Park** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Village of Lake Park** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Village of Lake Park to make scheduled repayment of the loan, to withhold from the Village of Lake Park any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Village of Lake Park** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Kendall Spence, Mayor, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Village of Lake Park** with the State of North Carolina for a loan to aid in the construction of the project described above.

That the **Mayor**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Village of Lake Park** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 14<sup>th</sup> day of April, 2009 at the Village of Lake Park, North Carolina.

Kendall Spence  
Mayor Village of Lake Park

**STORMWATER:** Sandy Coughlin and Cheri Clark are working on a brochure to be included with the 2009 tax bills designed as an educational and informative tool for the residents.

**STREET BUSINESS:** Boggs Paving will be patching the streets Thursday and Friday.

Ken Swain stated that if the VOLP wants to engage in the abatement of the two Cypress homes, it will have to be done through the court system.

Mayor Kendall Spence discussed a letter received from Douglas Keller concerning an incomplete traffic citation. Sandy Coughlin made the motion to waive the improperly written ticket. Greg Crosby seconded the motion. Vote – Unanimous.

**ECONOMIC DEVELOPMENT:** Sandy Coughlin discussed the Economic Development minutes from March 13<sup>th</sup>. The Children's Lighthouse is scheduled to open April 27<sup>th</sup> and Elevation plans to move out of the Town Center in July.

*Growing*

*Village of Lake Park  
Economic Development  
Commission Meeting*

*Meeting Minutes:* March 19, 2009

**Location:** *Lucas Landscaping, 3316 Faith Church Road*

**Attendees:** **Sandy Coughlin, Doug Lucas, Charles Williams, Sharon Williams  
Kendall Spence**

**OPENING:** Sandy called meeting to order. Sharon led the reflection.

**MINUTES:** Minutes of the February 26, 2009 EDC meeting were approved unanimously.

BUDGET: Our balance remains at \$1800 for 2008-2009 EDC activity. Expenditures to date for the March workshop are under \$100.

OLD BUSINESS:

1. **Town Center Prospects:** Elevation has expanded into the old Domenico restaurant space but we have not heard of any change in their plans to depart this summer.

2. **EDC Workshop 2009:** The new invitation letters were mailed March 11, and the postcard reminders sent March 17. Tour survey sheets, nametags and workshop handouts have been printed. Sandy will put balloons at each tour stop Tuesday afternoon, and bring pizza & soda.

Doug and Sharon reported that 2 calls were made to each invited organization and so far about 60% appear to be involved. Sharon received ten "We will be closed" signs but decided against distribution.

Charles, Sandy and Kendall expect to be at the Community Center at 5:00 pm to help set up tables, welcome guests, give out name tags, and guide guests together between tour stops, and put the Community Center in order at the end.

3. **Union County Welcome Guides:** The Guides are out and the Lake Park image ad is just inside the back cover. Kendall picked up a supply at the Chamber office in Monroe.

Doug and Sharon will provide flyer inserts before we distribute the guides to Council. We can invite the tour attendees to do the same.

The Chamber offered to repeat the same ad next year at no charge because they were so remiss at responding to our requests for the copies.

4. **Elevation Trailers:** Sandy noted the trailers parked outside Town Centre were removed the evening of February 26 and Sharon confirmed that they have not returned.

5. **Intersection Improvement:** Kendall left a thank you message at Governor Purdue's office encouraging her to implement the importance she announced in a TV interview last month on priority uses of NC's share of Obama's stimulus package and the need for traffic light and turning lanes at Unionville Indian Trail Road and Faith Church. He also invited her to participate in a ceremony here in Lake Park when that is accomplished.

NEW BUSINESS:

1. **Hemby Bridge Fire Department:** They bought the vacant land on Faith Church across from Lake Park Nursing & Rehab Center, but we do not yet know of any plans for developing the property.

NEXT MEETING: THURSDAY, April 23 at 3316 Faith Church Road 6:30 pm.

ADJOURNED: 7:25 pm.

*The GROWTH Coach Quote: If you want greater freedom, flexibility, fulfillment and financial results, DO SOMETHING DIFFERENT. If you keep doing the same thing, you will keep getting the same results - that much in life is guaranteed.*

Union County has requested a representative from the VOLP to serve on the following two boards: Union County Commissioner Governance Advisory Committee and the Transportation Advisory Board. Greg Crosby made the motion that Sandy Coughlin serve on the Union County Commissioner Governance Advisory Committee. Virginia Currence seconded the motion. Vote – Unanimous. Jo Waybright made the motion that Mayor Kendall Spence serve on the Transportation Advisory Board. Sandy Coughlin seconded the motion. Vote – Unanimous.

**SET AGENDA FOR APRIL 14, 2009:** Delete: Public Hearing: Community Center Renovation. Delete: Public Hearing: Historically Underutilized Businesses. Delete: 4A. Carolina Thread Trail, 4B. Common Area Planning Task Force, 5A. Citations, 6A. Minority Business Outreach Plan, 6B. Disposing of Personal Property, 10A. Carolina Thread Trail discussion, 10B. Resolution Clean Water



for stimulus money.

Add: Public Hearing for 2009-2010 Budget.

**COUNCIL COMMENTS:**

Jo Waybright stated that the VOLP lost a faithful and dedicated volunteer – Andy Melchiorre on March 17, 2009.

Greg Crosby shared that Maricela Sandoval passed away at Easter.

Kendall Spence thanked everyone for their hard work.

**ADJOURN:** Sandy Coughlin made a motion to adjourn the meeting. Greg Crosby seconded the motion. Vote – Unanimous.

Respectfully submitted,

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Mayor Kendall  
Spence

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Village Clerk, Cheri Clark